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7 Attorney for Carlos Barrera-Maisel

8 **UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 CARLOS BARRERA-MAISEL,

14 Defendant.

Case No. 2:23-mj-00549-DJA-1

ORDER **TO CONTINUE**  
**PRELIMINARY HEARING**  
(Second Request)

15  
16 IT IS HEREBY STIPULATED AND AGREED, by and between Jason M. Frierson,  
17 United States Attorney, and Justin Washburne, Assistant United States Attorney, counsel for  
18 the United States of America, and Rene L. Valladares, Federal Public Defender, and  
19 Heather Fraley, Assistant Federal Public Defender, counsel for Carlos Barrera-Maisel, that the  
20 Preliminary Hearing currently scheduled on September 18, 2023, be vacated and continued to  
21 a date and time convenient to the Court, but no sooner than thirty (30) days after that date.

22 This Stipulation is entered into for the following reasons:

23 1. Defendant has entered into a “fast-track” disposition and the plea and sentencing  
24 hearing is scheduled on October 6, 2023, before Judge Gloria M. Navarro. After final  
25 disposition the preliminary hearing will be vacated.

26 2. The defendant is in custody and agrees with the need for the continuance.

1           3.       The parties agree to the continuance.

2           4.       Additionally, denial of this request for continuance could result in a miscarriage  
3 of justice.

4           5.       The additional time requested herein is not sought for purposes of delay, but to  
5 allow the case to complete the fast-track process.

6           6.       The additional time requested by this stipulation, is allowed, with the  
7 defendant's consent under the Federal Rules of Procedure 5.1 (d).

8           7.       The additional time requested by this stipulation is excludable in computing the  
9 time within which the defendant must be indicted and the trial herein must commence pursuant  
10 to the Speedy Trial Act, 18 U.S.C. §§ 3161(b) and 3161(h)(7)(A), considering the factors under  
11 18 U.S.C. § 3161(h)(7)(B)(i) and (iv).

12           This is the second request for a continuance of the preliminary hearing.

13           DATED this 14th day of September. 2023.

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15       RENE L. VALLADARES  
16       Federal Public Defender

          JASON M. FRIERSON  
          United States Attorney

17       /s/ Heather Fraley  
18       By \_\_\_\_\_  
19       HEATHER FRALEY  
          Assistant Federal Public Defender

          /s/ Justin Washburne  
20       By \_\_\_\_\_  
21       Justin Washburne  
22       Assistant United States Attorney

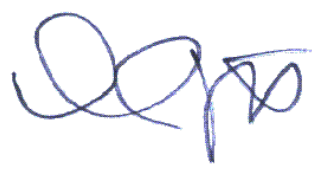
1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,  
4 Plaintiff,  
5 v.  
6 CARLOS BARRERA-MAISEL,  
7 Defendant.  
8

Case No. 2:23-mj-00549-DJA-1  
**ORDER**

9  
10 IT IS THEREFORE ORDERED that the preliminary hearing currently scheduled for  
11 September 18, 2023 at 4:00 p.m., be vacated and continued to  
12 October 16, 2023, at 4:00 p.m., Courtroom 3A.

13 DATED this 14th of September, 2023.



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16 DANIEL J. ALBREGTS  
United States Magistrate Judge  
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